

## REMARKS

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to an Office Action mailed on July 30, 2002. Claims 1-29 are rejected. Claims 1, 9, 11, 18, 19, and 23-27 have been amended. No new matter has been added.

The Examiner objected to Figure 8. Figure 8 has been amended to illustrate that memory 830 stores a set of instructions which, when executed, cause processor 820 to perform methodologies of the present invention.

The Examiner also objected to the Abstract. The Abstract has been amended to address the Examiner's objections.

The Examiner further objected to claims 1-25 under 35 U.S.C. § 1.75(a) for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 1, 11, 18, 19 and 23-26 have been amended to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

Claims 1, 3-6, 8, 9, 11, 16-18 and 22-29 are rejected under 35 U.S.C. § 102 (e) as being anticipated by Babula, et al., (U.S. Patent No. 6,381,557, hereinafter "Babula"). Claims 2, 7, 10, 12-14 and 19-21 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Babula, et al., in view of Applicant's Admissions of the prior art.

Babula discloses a technique for evaluating the operative state of a medical diagnostic system. The evaluation is performed by a remote service facility that receives service requests pertaining to the medical diagnostic system over a network. That is, the service facility in Babula evaluates the operation of medical diagnostic systems, and therefore, Babula does not teach or suggest diagnosing consumer electronic devices, as does the present invention as claimed in independent claims 1, 11, 23-27. Further, the service facility in

Babula performs evaluations remotely. Consequently, Babula does not teach or suggest using a testing consumer electronic device that is operable to diagnose a potentially faulty consumer electronic device locally, as does the present invention as claimed in independent claims 1, 11 and 23-27. Thus, Babula lacks at least the above pertinent features of the present invention as claimed in independent claims 1, 11 and 23-27.

Applicants respectfully submit that Applicants' invention as claimed in independent claims 1, 11 and 23-27 is not anticipated by Babula, and respectfully request the withdrawal of the rejections under 35 U.S.C. §102 (e). Claims 2-10 depend from independent claim 1, claims 12-22 depend from independent claim 11, and claim 28 depends from independent claim 27. Each of these dependent claims includes limitations as discussed above along with some additional limitations. Therefore, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §§102(e) and 103(a). Applicants furthermore submit that all pending claims are in condition for allowance, which action is earnestly solicited.

**Deposit Account Authorization**


Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

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## **VERSION OF SPECIFICATION WITH MARKINGS:**

**Please replace the abstract with the following paragraph:**

### **ABSTRACT**

In one embodiment, when a problem with a consumer electronic device owned by a user is identified, a diagnostic procedure is provided to control the diagnosis of the potentially faulty consumer electronic device by a testing consumer electronic device. The testing consumer electronic device is a local device owned by the user that is [capable of diagnosing] operable to diagnose problems associated with the potentially faulty consumer electronic device. In one embodiment, the testing consumer electronic device and the potentially faulty consumer electronic device are part of a home network enabling their [. The home network enables] communication [of the testing consumer electronic device and the potentially faulty consumer electronic device] during the diagnosis. In another embodiment, the testing consumer electronic device and the potentially faulty consumer electronic device can communicate only during the diagnosis using a special purpose connectivity means. In yet another embodiment, the testing consumer device and the potentially faulty consumer electronic device can communicate using their user interfaces.

## **VERSION OF CLAIMS WITH MARKINGS:**

1. (Amended) A method for diagnosing consumer electronic devices, the method comprising:

receiving information indicative of a problem with one or more potentially faulty consumer electronic devices; and

providing a diagnostic procedure to control diagnosis of the one or more potentially faulty consumer electronic devices by at least one testing consumer electronic device [capable of diagnosing] operable to diagnose the one or more potentially faulty consumer electronic devices locally.

9. (Amended) The method of claim 8 wherein the diagnostic procedure host device is a component of the at least one testing consumer electronic device.

11. (Amended) A method for diagnosing consumer electronic devices, the method comprising:

collecting data concerning functionality of a potentially faulty consumer electronic device using a testing consumer electronic device [capable of diagnosing] operable to diagnose the potentially faulty consumer electronic device locally;

utilizing the collected data to identify a problem with the potentially faulty consumer electronic device; and

when the problem is identified, notifying [the] a user about the problem.

18. (Amended) The method of claim 11 further comprising:

determining which one of a plurality of potentially faulty consumer electronic devices has a fault.

19. (Amended) The method of claim 12 wherein collecting data further comprises:

providing direct communication between a user and a test technician via an operational interface of [any one of the testing consumer electronic device and the potentially

faulty] a consumer electronic device using connection of the home network to a public network, the consumer electronic device being any one of the testing consumer electronic device and the potentially faulty consumer electronic device.

23. (Amended) An apparatus for diagnosing consumer electronic devices, the apparatus comprising:

means for receiving information indicative of a problem with one or more potentially faulty consumer electronic devices; and

means for providing a diagnostic procedure to control diagnosis of the one or more potentially faulty consumer electronic devices by at least one testing consumer electronic device [capable of diagnosing] operable to diagnose the one or more potentially faulty consumer electronic devices locally.

24. (Amended) An apparatus for diagnosing consumer electronic devices, the apparatus comprising:

a user interface to facilitate user input of information indicative of a problem with one or more potentially faulty consumer electronic devices; and

a gateway device to provide a diagnostic procedure to control diagnosis of the one or more potentially faulty consumer electronic devices by at least one testing consumer electronic device [capable of diagnosing] operable to diagnose the one or more potentially faulty consumer electronic devices locally.

25. (Amended) An apparatus for diagnosing consumer electronic devices, the apparatus comprising:

means for collecting data concerning functionality of a potentially faulty consumer electronic device using a testing consumer electronic device [capable of diagnosing] operable to diagnose the potentially faulty consumer electronic device locally;

means for utilizing the collected data to identify a problem with the potentially faulty consumer electronic device; and

means for notifying [the] a user about the problem when the problem is identified.

26. (Amended) An apparatus for diagnosing consumer electronic devices, the apparatus comprising:

a data collector to collect data concerning functionality of a potentially faulty consumer electronic device using a testing consumer electronic device [capable of diagnosing] operable to diagnose the potentially faulty consumer electronic device locally;

a problem identifier to utilize the collected data to identify a problem with the potentially faulty consumer electronic device; and

a user interface to notify [the] a user about the problem when the problem is identified.

27. (Amended) A system comprising:

one or more potentially faulty consumer electronic devices;

at least one testing consumer electronic device, coupled to the one or more potentially faulty consumer electronic devices; and

a diagnostic procedure host device, coupled to the at least one testing consumer electronic device, to control diagnosis of the one or more potentially faulty consumer

electronic devices, the diagnosis being performed by the at least one testing consumer  
electronic device locally.